

**FILED**  
**DISTRICT COURT OF GUAM**

**DISTRICT COURT OF GUAM**  
**TERRITORY OF GUAM**

JUN 13 2005 *M*

**MARY L.M. MORAN**  
**CLERK OF COURT**

**05-00019**

Case No. \_\_\_\_\_

(3)

Alexander B. Kitano, pro se,  
Prison Reg. No. 80362-011  
United States Penitentiary  
P. O. Box 1000  
Lewisburg, PA 17837-1000,  
PETITIONER, . . .  
Vs. . .  
Designated Judge,  
Superior Court of Guam,  
Case No. SP0236-04,  
RESPONDENT. . .

---

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

---

Petitioner Alexander B. Kitano, pro se, humbly requests this Court to grant his leave to file the attached Petition for Writ of Mandamus without prepayment of costs and to proceed in forma pauperis. A declaration in support is attached.

*AK 5-2705*  
Alexander B. Kitano, pro se,  
Prison Reg. No. 80362-011  
United States Penitentiary  
P. O. Box 1000  
Lewisburg, PA 17837-1000.

# United States District Court

**DISTRICT OF**

Alexander B. Kitano,  
Prison Reg. No. 80362-011

v.

**APPLICATION TO PROCEED IN  
FORMA PAUPERIS, SUPPORTING  
DOCUMENTATION AND ORDER**

Designated Judge,  
Superior Court of Guam,  
Case No. SP0236-04

**CASE NUMBER:**

**Alexander B. Kitano, pro se,** declare that I am the (check appropriate box)

- |   |   |
|---|---|
| <input type="checkbox"/> petitioner/plaintiff | <input type="checkbox"/> movant (filing 28 U.S.C. 2255 motion)    |
| <input type="checkbox"/> respondent/defendant | <input checked="" type="checkbox"/> Petition for Writ of Mandamus |
|   | <i>other</i>  |

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

In further support of this application, I answer the following questions.

1. Are you presently employed? Yes  No

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

\$5.25 monthly (prison library/USP Lewisburg).

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

N/A

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment Yes  No

b. Rent payments, interest or dividends? Yes  No

c. Pensions, annuities or life insurance payments? Yes  No

d. Gifts or inheritances? Yes  No

e. Case 1:05-cv-00019 Document 3 Filed 06/13/2005 Page 2 of 7

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

\*See attached copy of Prison Account Sheet.

3. Do you own any cash, or do you have money in checking or savings accounts?

Yes  No  (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned.

N/A

4. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes  No

If the answer is "yes," describe the property and state its approximate value.

N/A

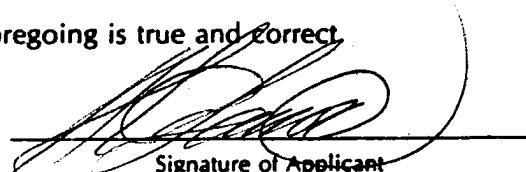
5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

N/A

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

5/30/05  
(Date)



Signature of Applicant

#### CERTIFICATE

(Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ 5.82 on account to his credit at the UNITED STATES PENITENTIARY, LEWISBURG PENNSYLVANIA institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution: -NONE-

I further certify that during the last six months the applicant's average balance was \$ 15.66



K. WEBER, INMATE ACCOUNTS

Authorized Officer of Institution

#### ORDER OF COURT

The application is hereby denied

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

United States Judge

Date

United States Judge  
or Magistrate

Date

A05-0095

**Start Date:** 10/01/2004  
**End Date:** 09/30/2005  
**Inmate Reg#:** 80362011  
**Account Status:** All  
**Institution:** All

Inmate Reg#: 80362011  
Inmate Name: KITANO, ALEXANDER BLANCO  
Current Site Name: Lewisburg USP  
Housing Unit: UNIT 3

#### General Information

Living Quarters: I02-211L  
Arrived From:  
Transferred To:  
Account Creation Date: 3/15/2002

#### Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEW	10/04/2004 09:07:44 AM	4JW125			Payroll - IPP	\$32.95		\$318.96
LEW	10/05/2004 11:21:38 AM		48		Donation	(\$15.00)		\$303.96
LEW	10/12/2004 06:47:13 PM		85		Sales	(\$149.90)		\$154.06
LEW	10/12/2004 06:50:09 PM		86		Sales	(\$31.20)		\$122.86
LEW	10/13/2004 06:31:03 PM			ITS1013	ITS Withdrawal	(\$10.00)		\$112.86
LEW	10/18/2004 05:29:52 PM		41		Sales	(\$29.75)		\$83.11
LEW	10/18/2004 05:31:06 PM		42		Sales	(\$1.90)		\$81.21
LEW	10/21/2004 06:00:14 PM			ITS1021	ITS Withdrawal	(\$1.00)		\$80.21
LEW	10/24/2004 09:08:01 PM			ITS1024	ITS Withdrawal	(\$6.00)		\$74.21
LEW	10/25/2004 02:49:56 PM		1378		Local Collections	\$40.00		\$114.21
LEW	10/25/2004 06:51:39 PM		84		Sales	(\$65.70)		\$48.51
LEW	10/25/2004 08:55:10 PM			ITS1025	ITS Withdrawal	(\$4.00)		\$44.51
LEW	11/01/2004 05:30:19 PM		32		Sales	(\$20.00)		\$24.51
LEW	11/02/2004 08:50:49 AM			5JW003	Payroll - IPP	\$10.03		\$34.54
LEW	11/02/2004 08:50:49 AM			5JW003	Payroll - IPP	\$5.25		\$39.79
LEW	11/02/2004 09:40:38 PM			ITS1102	ITS Withdrawal	(\$9.00)		\$30.79
LEW	11/05/2004 06:17:12 PM			ITS1105	ITS Withdrawal	(\$10.00)		\$20.79
LEW	11/09/2004 08:58:47 PM			ITS1109	ITS Withdrawal	(\$5.00)		\$15.79
LEW	11/12/2004 09:17:18 PM			ITS1112	ITS Withdrawal	(\$10.00)		\$5.79
LEW	11/15/2004 07:38:54 PM			ITS1115	ITS Withdrawal	(\$5.00)		\$0.79
LEW	11/25/2004 05:19:37 AM			70120805	Lockbox - CD	\$25.00		

Federal Bureau of Prisons  
TRUFACS  
**Inmate Statement**  
Limited Official Use

Inmate Reg#: 80362011  
Inmate Name: KITANO, ALEXANDER BLANCO  
Current Site Name: Lewisburg USP  
Housing Unit: UNIT 3

Living Quarters: I02-211L  
Arrived From:  
Transferred To:  
Account Creation Date: 3/15/2002

**General Information**

Alpha Code	Date Time	Transaction Details			Transaction Amount	Encumbrance Amount	Ending Balance
		Reference#	Payment#	Receipt#			
LEW	11/27/2004 08:40:23 PM	ITS1127			ITS Withdrawal	(\$6.00)	\$19.79
LEW	12/02/2004 08:55:17 AM	5JV014			Payroll - IPP	\$5.25	\$25.04
LEW	12/02/2004 03:27:18 PM				Donation	(\$10.00)	\$15.04
LEW	12/05/2004 08:26:58 PM	ITS1205			ITS Withdrawal	(\$5.00)	\$10.04
LEW	12/10/2004 04:58:49 PM	ITS1210			ITS Withdrawal	(\$5.00)	\$5.04
LEW	12/21/2004 04:41:59 PM	44			Sales	(\$2.00)	\$3.04
LEW	12/23/2004 07:43:23 PM	ITS1223			ITS Withdrawal	(\$3.00)	\$0.04
LEW	01/03/2005 10:23:57 AM	5JV026			Payroll - IPP	\$21.60	\$21.64
LEW	01/03/2005 05:12:44 PM	ITS0103			ITS Withdrawal	(\$3.00)	\$18.64
LEW	01/04/2005 05:08:47 PM	49			Sales	(\$7.90)	\$10.74
LEW	01/04/2005 05:26:45 PM	ITS0104			ITS Withdrawal	(\$5.00)	\$5.74
LEW	01/10/2005 09:40:04 AM	70123903			Lockbox - CD	\$40.00	\$45.74
LEW	01/10/2005 05:31:40 PM	ITS0110			ITS Withdrawal	(\$2.00)	\$43.74
LEW	01/11/2005 08:06:07 PM	ITS0111			ITS Withdrawal	(\$5.00)	\$38.74
LEW	01/11/2005 09:18:09 PM	ITS0111			ITS Withdrawal	(\$3.00)	\$35.74
LEW	01/13/2005 07:17:59 PM	ITS0113			ITS Withdrawal	(\$6.00)	\$29.74
LEW	01/15/2005 06:18:10 PM	ITS0115			ITS Withdrawal	(\$6.00)	\$23.74
LEW	01/16/2005 09:13:05 PM	ITS0116			ITS Withdrawal	(\$3.00)	\$20.74
LEW	01/18/2005 09:08:31 PM	ITS0118			ITS Withdrawal	(\$2.00)	\$18.74
LEW	01/19/2005 05:37:49 PM	ITS0119			ITS Withdrawal	(\$5.00)	\$13.74
LEW	01/19/2005 09:10:11 PM	ITS0119			ITS Withdrawal	(\$3.00)	\$10.74
LEW	01/22/2005 03:01:59 PM	ITS0122			ITS Withdrawal	(\$6.00)	\$4.74
LEW	01/26/2005 05:05:53 PM	ITS0126			ITS Withdrawal	(\$4.00)	\$0.74
LEW	02/02/2005 08:19:58 AM	5JV040			Payroll - IPP	\$22.32	\$23.06
LEW	02/05/2005 08:52:19 PM	ITS0205			ITS Withdrawal	(\$1.00)	\$22.06
LEW	02/06/2005 08:47:39 PM	ITS0206			ITS Withdrawal	(\$3.00)	\$19.06
LEW	02/06/2005 09:31:50 PM	ITS0206			ITS Withdrawal	(\$2.00)	\$17.06
LEW	02/08/2005 06:27:13 PM	64			Sales	(\$5.00)	\$12.06
LEW	02/08/2005 06:33:59 PM	ITS0208			ITS Withdrawal	(\$1.00)	\$11.06
LEW	02/08/2005 09:52:41 PM	ITS0208			ITS Withdrawal	\$8.06	

**Inmate Statement**  
Limited Official Use

Inmate Reg#: 80362011  
Inmate Name: KITANO, ALEXANDER BLANCO  
Current Site Name: Lewisburg USP  
Housing Unit: UNIT 3

Living Quarters: I02-211L  
Arrived From:  
Transferred To:  
Account Creation Date: 3/15/2002

General Information						
Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Amount
LEW	02/10/2005 06:01:00 PM	ITS0210			ITS Withdrawal	(\$3.00)
LEW	02/21/2005 05:15:34 PM	ITS0221			ITS Withdrawal	(\$5.00)
LEW	03/02/2005 09:20:35 AM	5JV044			Payroll - IPP	\$22.32
LEW	03/02/2005 04:58:51 PM	ITS0302			ITS Withdrawal	(\$2.00)
LEW	03/08/2005 06:48:00 PM	ITS0308			ITS Withdrawal	(\$6.00)
LEW	03/11/2005 10:04:15 AM				ITS Withdrawal	(\$7.00)
LEW	03/17/2005 08:55:56 PM	ITS0317			ITS Withdrawal	(\$4.00)
LEW	03/22/2005 09:32:42 PM	ITS0322			ITS Withdrawal	(\$3.00)
LEW	04/04/2005 09:38:55 AM	5JV052			ITS Withdrawal	\$14.38
LEW	04/04/2005 07:24:38 PM	84			Payroll - IPP	\$7.38
LEW	04/05/2005 06:15:56 AM	70129801			Sales	\$3.38
LEW	04/05/2005 05:25:58 PM	ITS0405			Lockbox - CD	\$0.38
LEW	04/16/2005 07:17:38 AM	ITS0416			ITS Withdrawal	\$20.54
LEW	04/18/2005 04:48:23 PM	28			ITS Withdrawal	\$20.54
LEW	04/19/2005 08:53:59 PM	ITS0419			Sales	\$7.59
LEW	04/19/2005 09:42:50 PM	ITS0419			Lockbox - CD	\$57.59
LEW	04/20/2005 07:38:21 PM	ITS0420			ITS Withdrawal	\$51.59
LEW	04/23/2005 03:15:40 PM	ITS0423			ITS Withdrawal	\$48.59
LEW	04/26/2005 09:16:57 PM	ITS0426			ITS Withdrawal	\$4.00
LEW	04/30/2005 05:40:45 AM	70131701			ITS Withdrawal	(\$3.00)
LEW	04/30/2005 05:40:49 AM	70131701			ITS Withdrawal	(\$2.00)
LEW	04/30/2005 08:35:37 PM	ITS0430			ITS Withdrawal	(\$4.00)
LEW	05/02/2005 11:31:35 AM	5JV061			ITS Withdrawal	(\$6.00)
LEW	05/02/2005 05:02:05 PM	30			ITS Withdrawal	(\$6.00)
LEW	05/03/2005 09:04:55 AM				Lockbox - CD	\$0.14
LEW	05/03/2005 04:25:01 PM	4			Lockbox - CD	\$100.14
LEW	05/04/2005 09:37:48 PM	ITS0504			ITS Withdrawal	\$150.14
LEW	05/08/2005 03:43:15 PM	ITS0508			Sales	\$144.14
LEW	05/09/2005 04:33:12 AM	6			Payroll - IPP	\$159.02
LEW	05/11/2005 10:36:34 AM				Sales	\$61.50
					Donation	(\$5.00)
					Sales	(\$5.00)
					ITS Withdrawal	(\$5.00)
					ITS Withdrawal	(\$2.00)
					Sales	(\$8.82)
					Donation	(\$10.00)

Facility: LEW  
Case 1:05-cv-00019 Filed 06/13/2005  
Page 6 of 7

**Inmate Statement**  
Limited Official Use

Inmate Reg#:

80362011

Inmate Name:

KITANO, ALEXANDER BLANCO

Current Site Name:

Lewisburg USP

Housing Unit:

UNIT 3

Living Quarters: I02-211L  
Arrived From:  
Transferred To:  
Account Creation Date: 3/15/2002

**General Information**

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEV	05/11/2005 04:30:37 PM	ITS0511			ITS Withdrawal	(\$3.00)		\$5.82
					Totals:	(\$280.19)	\$0.00	

**Transaction Details**

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
LEV	\$5.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5.82
<b>Totals:</b>	<b>\$5.82</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.82</b>

**Current Balances**